

AMENDED IN SENATE MARCH 24, 2011

**SENATE BILL**

**No. 891**

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**Introduced by Senator Lowenthal**

February 18, 2011

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An act to add Section 17070.32 to the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 891, as amended, Lowenthal. School facilities: ~~modernization; construction; ombudsman.~~

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board (*board*) to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition. Existing law ~~makes a school district eligible to receive an apportionment for the modernization of a permanent school building that is more than 25 years old or a portable classroom that is at least 20 years old. Existing law requires the board to adopt regulations to adjust the per-pupil amounts for modernization projects for school buildings that are 50 years old or older based on the higher costs associated with modernizing older buildings.~~ *requires the State Department of Education, upon request of a school district, to provide assistance in the evaluation and utilization of existing school facilities and the justification of the need for schoolsites, new facilities, and the rehabilitation or replacement of existing facilities, in accordance with board regulations.*

*Existing law, the Field Act, requires the Department of General Services to supervise the design and construction of a school building or the reconstruction or alteration of, or addition to, a school building,*

*if not exempted, to ensure that plans and specifications comply with rules, regulations, and building standards and to ensure that the work of construction is performed in accordance with the approved plans and specifications.*

*Existing law requires the Department of General Services to assign one full-time position within the Office of Public School Construction for the purposes of providing advisory assistance to school districts regarding the process of site acquisition for projects for which the State Allocation Board has approved specified funding and of formulating recommendations for administrative or statutory revision to the manner in which schoolsites are acquired and submitting those recommendations to the board. Existing law requires the Department of General Services to establish a screening unit or other mechanism within the Office of Public School Construction to ensure that the office responds in a timely manner to any inquiry regarding the status of an application for specified project funding regarding site acquisition and related environmental assessment and remediation.*

*This bill would require the board to appoint an ombudsman, who would report directly to the board, to provide assistance and guidance to school districts as their construction projects proceed through approvals from the State Department of Education, the Department of Toxic Substances Control, the Division of the State Architect, and the Office of Public School Construction.*

~~*This bill would state the intent of the Legislature to enact legislation that would improve and enhance the program for modernizing school facilities.*~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 17070.32 is added to the Education Code,
- 2     to read:
- 3     17070.32. The board shall appoint an ombudsman who shall
- 4     report directly to the board and provide assistance and guidance
- 5     to school districts as their construction projects proceed through
- 6     approvals from the State Department of Education, the Department
- 7     of Toxic Substances Control, the Division of the State Architect,
- 8     and the Office of Public School Construction.

1     ~~SECTION 1.—It is the intent of the Legislature to enact~~  
2     ~~legislation that would improve and enhance the program for~~  
3     ~~modernizing school facilities.~~

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